

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA,	:
	:
Plaintiff,	:
	:
v.	:
	: Criminal Case No. 1:98-cr-00859-AMD
	:
JORDAN ROSS BELFORT,	:
	: <u>OBJECTION TO GARNISHEE DELOS'S</u>
	: <u>ANSWER AND SUPPLEMENTAL</u>
Defendant,	: <u>ANSWER</u>
	:
and	:
	:
DELOS LIVING, LLC,	:
	:
Garnishee.	:
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**OBJECTION OF JORDAN ROSS BELFORT TO
GARNISHEE DELOS'S ANSWER AND SUPPLEMENTAL ANSWER**

1. On or about October 6, 2017, the government filed an Application for Writ of Continuing Garnishment. (Dkt. Entry 197).
2. On or about October 10, 2017, the Clerk of the Court filed signed copies of the Writ of Continuing Garnishment addressed to Delos Living, LLC ("Delos") and the Clerk's Notice of Post-Judgment Garnishment addressed to Belfort. (Dkt. Entry 198).
3. On or about December 20, 2017, Belfort filed a Request for a Hearing and Change of Venue (Dkt. Entry 202).
4. On or about December 27, 2017, Delos filed an Answer of the Garnishee, dated December 19, 2017 (the "Answer"). (Dkt. Entry 206).

5. On or about December 22, 2017, the government requested that Delos supplement their Answer to include additional facts.

6. Thereafter, on or about January 12, 2018, Delos, filed a Supplemental Answer of the Garnishee (the “Supplemental Answer”). (Dkt. Entry 209).

7. Belfort requests a hearing on the Application for Writ of Continuing Garnishment and Delos’s Answer and Supplemental Answer to the Writ.

8. Belfort objects to the statements made by Delos in the Answer and Supplemental Answer as follows:

- a. Delos recently terminated its written agreement with JB Global Holdings LLC (“JBGH”) as a result of the instant garnishment proceedings. Belfort contends that the agreement was therefore improperly terminated, depriving Belfort of the opportunity to earn additional compensation.
- b. In their Answer and Supplemental Answer Delos states that JBGH is the owner of 0.5765 Class D Membership Units. Since the written agreement was improperly terminated by Delos, Belfort contends that additional Class D Membership Units vested on January 1, 2018, which resulted in the ownership interest of JBGH increasing to a total of 0.86475 vested Class D Membership Units. In addition, Belfort contends that JBGH has 0.28825 unvested Class D Membership Units, which are scheduled to vest on January 1, 2019.

AFFIRMATIVE DEFENSE

9. Belfort asserts that any and all compensation paid by Delos to JBGH and owed to Belfort as a result of work performed by Belfort constitutes earnings, *i.e.* “compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus, or

otherwise.” 15 U.S.C. 1672. Accordingly, as set forth in 15 U.S.C. § 1673, “garnishment [of those earnings] may not exceed 25 per centum.”

Dated: New York, New York
February 1, 2018

/s/ Sharon Cohen Levin

Sharon Cohen Levin

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